

### **REMARKS**

Claims 10-12, 14, 15, 17, 18, and 21-27 are now pending in the application. Claims 10-12, 14, 15, 17, 18, and 21-25 have been amended and claims 13, 16, 19 and 20 have been canceled. Claims 26 and 27 have been added as new. Support for the foregoing amendments can be found throughout the specification, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 14-25 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 14-25 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

These rejections are respectfully traversed.

Applicant has amended the claims to address the Examiner's rejection. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 10, 12-20, 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over "Packet Switching Backplane Short Form Specification (PICMG 2.16 Revision 1.0, Prior art 1) in view of Schwartz (U.S. Pat. No. 6,947,410).

Claims 11 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over "Packet Switching Backplane Short Form Specification (PICMG 2.16 Revision 1.0,

Prior art 1) in view of Schwartz (U.S. Pat. No. 6,947,410), and further in view of Dove (U.S. Pub. No. 2005/0036506).

These rejections are respectfully traversed.

Claim 10 recites, among other things:

- a backplane including
  - a first node slot having a plurality of connectors including a first Ethernet connector for transferring and receiving Ethernet packets;
  - a second node slot having a plurality of connectors including a second Ethernet connector for transferring and receiving Ethernet packets; and
  - a first aggregation slot having a plurality of single connectors including a third Ethernet connector for transferring and receiving Ethernet packets;
  - a first dedicated link establishing a direct connection between the first and the third Ethernet connectors; and
  - a second dedicated link establishing a direct connection between the second and the third Ethernet connectors,
- wherein the third Ethernet connector allows a first switch to turn on and off data communication between the first Ethernet connector and the second Ethernet connector and via the first and second dedicated links.

In other words, each of the slot has a plurality of connectors. The third Ethernet connector is in direct connection with both the first and the second Ethernet connectors. Applicant submits that the references cited by the Examiner, individually or in combination, fail to teach or suggest the above limitations.

In rejecting claim 10, the Examiner asserts, at p. 2, item 1, Ins. 5 to 7 of the outstanding Office action, that one skilled in the art would consider each of the fabric slot shown in figure 6 of Prior art 1 as an Ethernet connector. Applicant respectfully traverses the Examiner's assertion and submits that one skilled in the art, in light of the specification of the subject application, would not consider a fabric slot shown in figure 6 of Prior art 1 as analogous to the claimed one of a plurality connectors. One at best would only consider a single link port that transmits Ethernet packets of Prior art 1 as

somehow relevant to the then claimed Ethernet connector. Further, Prior art 1 does not disclose that the port “a” of the node slot 1 and the port “a” of the node slot 2 are connected to the same port of the fabric slot. Prior Art 1 defines that each single link ports (1 to N) in the fabric slot is in communication with only a link port (a or b) of one single node slot, rather than with link ports of two node slots. In the subject application, Figure 1 of the drawings originally filed clearly shows in one or more embodiments that the connector (P3) of the aggregation slot (102) is connected with the connector (P3) of the node slot (104) and the connector (P3) of the node slot (106).

Applicant further submits that the other cited references fail to cure the deficiencies of Prior art 1.

In view of the foregoing, Applicant submits that claim 10 and its dependent claims 11-12 and 26-27 define over the art cited by the Examiner.

Claims 14 and 24 each recite features similar to the above mentioned distinguishing features of claim 10. Therefore, claim 14 and its dependent claims 15, 17-18 and 21-23 as well as claim 24 and its dependent claim 25 define over the art cited by the Examiner.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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